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6 Attorneys for Defendant
SHIRE REGENERATIVE MEDICINE, INC.
7

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 DPR CONSTRUCTION, a general
partnership,

12 Plaintiff,

13 v.
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15 SHIRE REGENERATIVE MEDICINE,
INC., a Delaware corporation; and
DOES 1 THROUGH 100, inclusive,
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Defendants.
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S.D. Cal. Case No: **'14CV2399 JAH MDD**

San Diego Superior Court Case No.:
37-2014-00022796-CU-BC-CTL

**NOTICE OF REMOVAL OF CIVIL
CASE**

1 PLEASE TAKE NOTICE that Defendant Shire Regenerative Medicine, Inc.
 2 hereby removes to federal court the Case No. 37-2014-00022796-CU-BC-CTL,
 3 currently pending in the Superior Court of California, County of San Diego County.
 4 This removal is based upon diversity jurisdiction arising from the complete diversity
 5 of the parties, pursuant to 28 U.S.C. section 1332 *et seq.*

6 Defendant Shire Regenerative Medicine, Inc. is a corporation organized under
 7 the laws of Delaware, with its principal place of business both at the time of filing
 8 and of removal in Massachusetts. On information and belief, Plaintiff DPR
 9 Construction is a general partnership organized under the laws of California, with its
 10 principal place of business both at the time of filing and of removal in Redwood City,
 11 California. On information and belief, DPR Construction does not have partners,
 12 officers or other grounds for citizenship in Delaware or Massachusetts. The amount
 13 in controversy, as specified in both the Complaint and First Amended Complaint, is
 14 “at least \$3,224,843.00, plus interest and costs,” exceeding the jurisdictional
 15 minimum for diversity jurisdiction.

16 Shire Regenerative Medicine, Inc. was served with the Summons and
 17 Complaint in the removed action on September 8, 2014, and the First Amended
 18 Complaint was served by e-mail on September 9, 2014. Attached as Exhibits hereto
 19 are the pleadings in the removed action of which Shire Regenerative Medicine, Inc. is
 20 aware, identified in further detail in the accompanying Index of Exhibits.

21 Dated: October 8, 2014

MINTZ LEVIN COHN FERRIS GLOVSKY
AND POPEO PC

23 By s/Ben Wagner

24 Daniel T. Pascucci, Esq.
Ben L. Wagner, Esq.

25 Attorneys for Defendant
26 SHIRE SAN DIEGO INDUSTRIAL, LLC

27 Email: dpascucci@mintz.com
28 bwagner@mintz.com

CERTIFICATE OF SERVICE

I am employed in the County of San Diego, my business address is Mintz Levin Cohn Ferris Glovsky and Popeo PC, 3580 Carmel Mountain Road, Suite 300, San Diego, CA 92130. I am over the age of 18 and not a party to the foregoing action.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for personal delivery, for mailing with United States Postal Service, for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight service.

On October 8, 2014, I caused a copy of the following document:

NOTICE OF REMOVAL OF CIVIL CASE

to be served on the interested parties in this action by placing a true and correct copy thereof, enclosed in a sealed envelope, and addressed as follows:

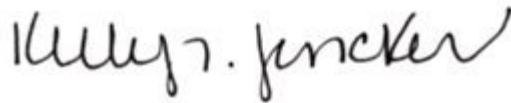
Richard E. McCarthy, Esq.
Curtis G. Carll, Esq.
SOLOMON WARD SEIDENWURM &
SMITH
401 B Street, Suite 1200
San Diego, CA 92101

Plaintiff
DPR CONSTRUCTION

Telephone: (619) 231-0303
Fax: (619) 231-4755
Email: rmccarthy@swsslaw.com
ccarll@swsslaw.com

☒ **MAIL:** Such correspondence was deposited, postage fully paid, with the U.S. Postal Service on the same day in the ordinary course of business.

I declare under penalty of perjury that the above is true and correct. Executed on October 8, 2014, at San Diego, California. I further declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made.



Kelly E. Jenckes

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